

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN 12 2012

Department of Water Resources  
Eastern Region

Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column.

| Water Right/Claim No. | Split?                                  | Water Right/Claim No. | Split?                                  | Water Right/Claim No. | Split?                                  |
|-----------------------|-----------------------------------------|-----------------------|-----------------------------------------|-----------------------|-----------------------------------------|
| 34-12370              | Yes <input checked="" type="checkbox"/> | 34-14323              | Yes <input checked="" type="checkbox"/> | 34-14324              | Yes <input checked="" type="checkbox"/> |
|                       | Yes <input type="checkbox"/>            |                       | Yes <input type="checkbox"/>            |                       | Yes <input type="checkbox"/>            |
|                       | Yes <input type="checkbox"/>            |                       | Yes <input type="checkbox"/>            |                       | Yes <input type="checkbox"/>            |
|                       | Yes <input type="checkbox"/>            |                       | Yes <input type="checkbox"/>            |                       | Yes <input type="checkbox"/>            |
|                       | Yes <input type="checkbox"/>            |                       | Yes <input type="checkbox"/>            |                       | Yes <input type="checkbox"/>            |

2. Previous Owner's Name:

Sue A. Pistorius

SUPPORT DATA

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s):

Timothy A. Barnes

IN FILE # 34-12370

Name of each new owner as listed on the conveyance document

New owner continued

Name connector

☐ and

☐ or

☐ and/or

2069 Ross Ave.

Mailing address

Ammon

City

ID

State

83406

ZIP

208-524-4589

Telephone

tabarnes85@gmail.com

Email

4. If the water rights and/or adjudication claims were split, how did the division occur?

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.  
☒ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

5. Date you acquired the water rights and/or claims listed above: Nov 4, 2011

6. This form must be signed and submitted with the following **REQUIRED** items:

- A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
- Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
- Filing fee (see instructions for further explanation):
  - \$25 per undivided water right.
  - \$100 per split water right.
  - No fee is required for pending adjudication claims.

7. Signature: Timothy Barnes

Signature of new owner/claimant

Title, if applicable

Nov 22, 2011

Date

Signature: \_\_\_\_\_

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by

Date

1/13/12

Receipt No.

E037245

Receipt Amt.

100<sup>00</sup>

Approved by

Processed by

JB

Date

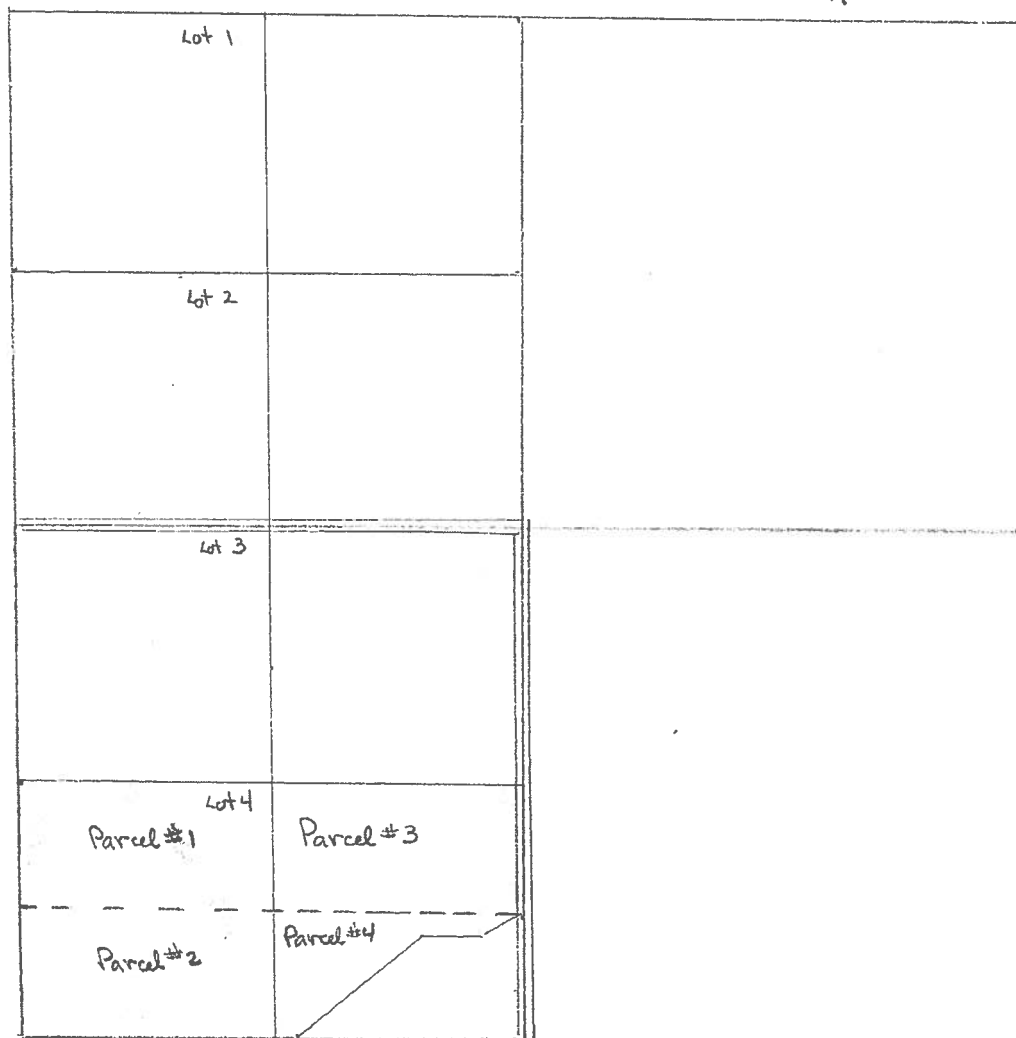
2/7/2012

plat map

Tn 3N Rg 27E

Sec 18

Scale: 1 in = 1,000 ft.





**Water**

Wells

**Water Rights / Adjudication**

POD - Adjudication Claims

POD - Adjudication Recommendations

POD - Permits

POD - Water Rights

POU - Adjudication Claims

POU - Adjudication Recommendations

POU - Permits

POU - Water Rights

**Ground Water**

Areas of Drilling Concern

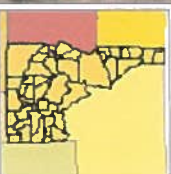
Contamination Area

Nitrate Priority Areas

Critical Ground Water Areas

Ground Water Management Areas

**Property Boundary**



State of Idaho  
Department of Water Resources  
322 East Front Street  
Boise, Idaho 83720-0098  
Phone: (208) 287-4800  
Fax: (208) 287-6700

Scale: 1" = 500 feet

NO. 0049049  
RECORDED

**WARRANTY DEED**

Order No. 5854LRT

NOV 04 2011

For Valuable Consideration Received:

AM 1:57 PM  
BLTTE COUNTY RECORDER  
*Jim Samlett*

**JUSTIN RULE aka JUSTIN L. RULE and CASEY RULE aka CASEY K. RULE,  
Husband and Wife,**

the Grantors, do hereby grant, bargain, sell, convey and warrant unto

**TIMOTHY ANDREW BARNES, An Unmarried Man,**

the Grantee, whose current address is:

**2069 Ross Avenue, Idaho Falls, ID 83406**

the following described premises, to-wit:

**See Exhibit "A" attached hereto and made a part hereof.**

**EXCEPTING THEREFROM any "storage water rights" appurtenant to this land  
description.**

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

*Justin L. Rule*  
Justin L. Rule

11/01/2011  
Date

*Casey K. Rule*  
Casey K. Rule

State of MONTANA

ss.

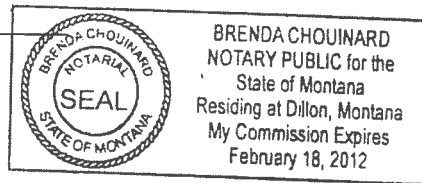
County of Beverhead

On this 1<sup>st</sup> day of November, 2011, before me, the undersigned, a Notary Public, in and for said State, personally appeared **JUSTIN L. RULE AND CASEY K. RULE**, known to me, and/or identified to me on the basis of satisfactory evidence, to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

WITNESS MY HAND AND OFFICIAL SEAL

Brenda Chouinard  
Notary Public

Residing at: Dillon, MT



Commission Expires: 02/18/2012

**EXHIBIT "A"**

**PARCEL 2:**

**Township 3 North, Range 27 East of the Boise Meridian, Butte County, Idaho.  
Section 18: S1/2SW1/4SW1/4 (S1/2 Lot 4)**

**TOGETHER WITH an Easement for Ingress, Egress and Utilities, 20 feet either side of the center line (total of 40 feet wide) between the N1/2S1/2SW1/4 and the S1/2S1/2SW1/4, Section 18, Township 3 North, Range 27 E.B.M., commencing at the Eastern boundary of the SW1/4 at the road known as 2950 West, said Easement runs due West to the Western boundary of the SW1/4, Section 18, Township 3 North, Range 27 E.B.M., Butte County, Idaho.**

**PARCEL 4:**

**Township 3 North, Range 27 East of the Boise Meridian, Butte County, Idaho  
Section 18: S1/2SE1/4SW1/4 EXCEPTING the following described property:**

**Beginning at the S1/4 corner of said Section 18, thence S. 89°47' W., 1119.0 feet;  
thence N. 51°34'12" E., 857.0 feet;  
thence N. 89°47' E., 303.8 feet;  
thence N. 51°34'12" E., 180.76 feet;  
thence S. 0°12' E., 641.95 feet to the Point of Beginning.**

**TOGETHER WITH an Easement for Ingress, Egress and Utilities, 20 feet either side of the center line (total of 40 feet wide) between the N1/2S1/2SW1/4 and the S1/2S1/2SW1/4, Section 18, Township 3 North, Range 27 E.B.M., commencing at the Eastern boundary of the SW1/4 at the road known as 2950 West, said Easement runs due West to the Western boundary of the SW1/4, Section 18, Township 3 North, Range 27 E.B.M., Butte County, Idaho.**

**EXCEPTING THEREFROM any "storage water rights" appurtenant to this land description.**

Order No: 5854LRT

NO. 0047458  
RECORDED

JAN 26 2010

A.M. 4:20 P.M.

BUTTE COUNTY RECORDER

# Warranty Deed

Michael Gordon and Karen Gordon, husband and wife and Justin Rule and Casey Rule, husband and wife, as Grantor, for good and valuable consideration, receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto Justin Rule and Casey Rule, husband and wife, as Grantee, whose address is P O Box 665, Dillon, MT 59725, Grantee's successors and assigns, all of the following described real property to-wit:

Parcel #4 consisting of approx. 9.55 acres (more or less) described as S1/2SE1/4SW1/4 Section 18, Township 3 North, Range 27 East of the Boise Meridian, Butte County, Idaho, EXCEPTING the following described property:

Beginning at the South Quarter corner of Section 18; thence 89° 47' West, 1,119.0 feet; thence North 51° 34' 12" East, 857.0 feet; thence North 89° 47' East, 303.8 feet; thence North 51° 34' 12" East, 180.76 feet; thence South 0° 12' East, 641.95 feet to the point of Beginning.

Parcel #4 as described herein shall share and benefit from a non-exclusive easement for ingress, egress and utilities. This easement shall measure 20 feet either side of the center line (total of 40 feet wide) between N1/2S1/2SW1/4 and S1/2S1/2SW1/4 Section 18, Township 3 North, Range 27 East commencing at the eastern boundary of the SW1/4 at the Road known as 2950 West, said easement continues due West to the western boundary of SW1/4 Section 18 Township 3 North, Range 27 East, of the Boise Meridian, Butte County, Idaho. This shall be a perpetual easement and shall run with the land.

SUBJECT TO the 2009 and subsequent years general taxes and assignments, all existing patent reservations, easements, right of ways, protective and restrictive covenants, zoning ordinances and applicable building codes, laws and regulations.

TOGETHER WITH any and all improvements, water and ditch rights, easements, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reservation, remainder, rents, issues, and profits thereof.

Grantor, for himself and his successors and assigns, does hereby warranty and agree to forever defend the Grantee, and Grantee's successors and assigns, in the quiet and peaceful possession of said premises against the lawful claims of any and all persons.

In construing this Deed, and where the context so requires, the singular includes the plural, and the masculine, the feminine and neuter.

Dated: 12/31/2009

Michael Gordon  
Michael Gordon

Justin Rule  
Justin Rule

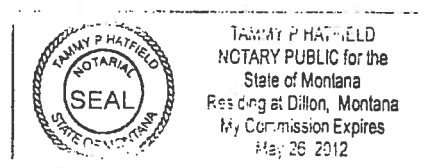
Karen Gordon  
Karen Gordon

Casey Rule  
Casey Rule

STATE of Montana  
COUNTY OF BEAVERHEAD

On 12-31-09, before me, the undersigned personally appeared Michael Gordon and Karen Gordon and Justin Rule and Casey Rule known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

Tammy P Hatfield  
Notary Public for the State of Montana  
Commission Expiration Date: 5-26-2012



Order No: 5854LRT

NO. **0047457**  
RECORDED

JAN 26 2010

# Warranty Deed

A.M. 4:19 P.M.  
BUTTE COUNTY RECORDER  
*Jim Barnett*

Michael Gordon and Karen Gordon, husband and wife and Justin Rule and Casey Rule, husband and wife, as Grantor, for good and valuable consideration, receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto Justin Rule and Casey Rule, husband and wife, as Grantee, whose address is P O Box 665, Dillon, MT 59725, Grantee's successors and assigns, all of the following described real property to-wit:

Parcel #2 consisting of approx. 20 acres (more or less) described as S1/2SW1/4SW1/4 Section 18, Township 3 North, Range 27 East of the Boise Meridian, Butte County, Idaho.

Parcel #2 as described herein shall share and benefit from a non-exclusive easement for ingress, egress and utilities. This easement shall measure 20 feet either side of the center line (total of 40 feet wide) between N1/2S1/2SW1/4 and S1/2S1/2SW1/4 Section 18, Township 3 North, Range 27 East commencing at the eastern boundary of the SW1/4 at the Road known as 2950 West, said easement continues due West to the western boundary of SW1/4 Section 18 Township 3 North, Range 27 East, of the Boise Meridian, Butte County, Idaho. This shall be a perpetual easement and shall run with the land.

SUBJECT TO the 2009 and subsequent years general taxes and assignments, all existing patent reservations, easements, right of ways, protective and restrictive covenants, zoning ordinances and applicable building codes, laws and regulations.

TOGETHER WITH any and all improvements, water and ditch rights, easements, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reservation, remainder, rents, issues, and profits thereof.

Grantor, for himself and his successors and assigns, does hereby warranty and agree to forever defend the Grantee, and Grantee's successors and assigns, in the quite and peaceful possession of said premises against the lawful claims of any and all persons.

In construing this Deed, and where the context so requires, the singular includes the plural, and the masculine, the feminine and neuter.

Dated: 12/31/2009

*Michael Gordon*  
\_\_\_\_\_  
Michael Gordon

*Justin Rule*  
\_\_\_\_\_  
Justin Rule

*Karen Gordon*  
\_\_\_\_\_  
Karen Gordon

*Casey Rule*  
\_\_\_\_\_  
Casey Rule

STATE of Montana  
COUNTY OF BEAVERHEAD

On 12-31-09, before me, the undersigned personally appeared Michael Gordon and Karen Gordon and Justin Rule and Casey Rule known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

*Tammy P Hatfield*  
\_\_\_\_\_  
Notary Public for the State of Montana  
Commission Expiration Date: 5-26-2012



TAMMY P HATFIELD  
NOTARY PUBLIC for the  
State of Montana  
Residing at Dillon, Montana  
My Commission Expires  
May 26, 2012

Mountain West Title & Escrow

Order No: 5734LRT

NO. 0044518  
RECORDED  
MAY 09 2007  
11:59 A.M.  
BUTTE COUNTY RECORDER  
[Signature]

**LIMITED LIABILITY COMPANY  
WARRANTY DEED**

LEMON TREE INVESTMENT LP, a Limited Liability Company under the laws of the State of California, having been duly authorized by and in accordance with its Articles of Organization, as GRANTOR, for good and valuable considerations, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto MICHAEL GORDAN AND KAREN GORDAN, HUSBAND AND WIFE AND JUSTIN RULE AND CASEY RULE, HUSBAND AND WIFE, as GRANTEE, whose address is P.O. Box 665, Dillon, MT 59725, Grantee's successors and assigns, all of the following described real property, to-wit: SEE ATTACHED EXHIBIT "A"

**Subject to the 2007 and subsequent years general taxes and assessments, all existing patent reservations, easements, rights of ways, protective and restrictive covenants, zoning ordinances and applicable building costs, laws and regulations.**

TOGETHER WITH any and all improvements, water and ditch rights, easements, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversion, remainder, rents, issues, and profits thereof.

Grantor, for itself and its successors and assigns, does hereby warrant and agree to forever defend the Grantee, and Grantee's successors and assigns, in the quiet and peaceful possession of said premises against the lawful claims of any and all persons.

In construing this Deed and where the context so requires, the singular includes the plural, and the masculine, the feminine and neuter.

Dated: May 1, 2007.

LEMON TREE INVESTMENTS, LP  
HANDA CORP.

By: [Signature]  
Marijn Bucholz, President, by Sue Koller

Province of Alberta )  
STATE OF )  
COUNTY OF ) SS.

On May 1, 2007, before me, the undersigned, personally appeared

Sue Koller

known or identified to me to be the President of Handa Corp. of the Limited Liability Company that executed the within instrument, and acknowledged to me that such Company executed the same.

NOTARY FOR THE STATE OF IDAHO  
Commission Expires: [Signature]  
[Circular Notary Seal: PUBLIC, OF ALBERTA]  
Timothy P. Kirby  
Barrister & Solicitor

EXHIBIT "A"

Township 3 North, Range 27 East of the Boise Meridian, Butte County, Idaho.

Section 18: Lot 4 (SW1/4SW1/4) and SE1/4SW1/4. EXCEPTING THEREFROM the established road right-of-way and EXCEPTING the following described property:

Beginning at the South Quarter corner of Section 18; thence South  $89^{\circ}47'$  West, 1119.0 feet; thence North  $51^{\circ}34'12''$  East, 857.0 feet; thence North  $89^{\circ}47'$  East, 303.8 feet; thence North  $51^{\circ}34'12''$  East, 180.76 feet; thence South  $0^{\circ}12'$  East, 641.95 feet to the Point of Beginning.

NO. 0044208

RECORDED

FEB 26 2007

A.M. 2:52 P.M.

BUTTE COUNTY RECORDER

## QUITCLAIM DEED

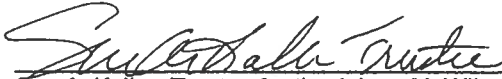
For Value Received, I Arlene M. Wilson Trust, UDT July 12, 1995 do hereby convey, release, remise and forever quitclaim unto:

Lemon Tree Investment LP, whose currently address is: P.O. Box 673,  
Lewiston, Idaho 83501, the following:

Lot 4 (SW4SW4) FR SE4SW4 T# 18-17, Sec 18,  
Parcel No. RP03N27E1860000A  
Butte County, Idaho

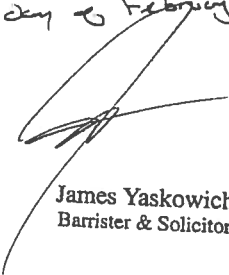
Together with their appurtenances.

Dated the 12<sup>th</sup> day of February, 2007



Sue A. Koller, Trustee for the Arlene M. Wilson Trust

Executed before me this 12<sup>th</sup> day of February 2007.



James Yaskowich  
Barrister & Solicitor

NO. 0037636  
RECORD

NOV 30 2001

AM 2:35 PM  
BUTTE COUNTY RECORDER  
*Sayla Wornick*

## QUITCLAIM DEED

For Value received Sue Ann Jaskey does hereby convey, release and forever quitclaim, including after-acquired title, unto Arlene M. Wilson Trust, U.D.T. 7/12/95 the following described property, in Arco, County of Butte, State of Idaho, to-wit:

**Township 3 North, Range 27 East, Boise Meridian,  
Butte County, Idaho**

**Section 18:**

The South Half of the Southwest Quarter (S  $\frac{1}{2}$  SW  $\frac{1}{4}$ ), EXCEPTING THEREFROM the established road right-of-way, and the following described property:

Beginning at the S.  $\frac{1}{4}$  corner of Section 18; thence S. 89 degrees 47 minutes W. 1119.0 feet; thence N. 51 degrees 34 minutes 12 seconds E. 857.0 feet; thence N. 89 degrees 47 minutes E. 303.8 feet; thence N. 51 degrees 34 minutes 12 seconds E. 180.76 feet; thence S. 12 minutes E., 641.95 feet to the Point of Beginning, consisting of 9.7 acres

Together with all appurtenances and hereditaments thereto appertaining, including, but not limited to Decree and Storage water as follows; 50 miner's inches of Decreed Water with priority of 9/24/00; and 1,430 inches of storage in Mackay Dam, with priority of 05/04/01.

Date November 28, 2001 Signature

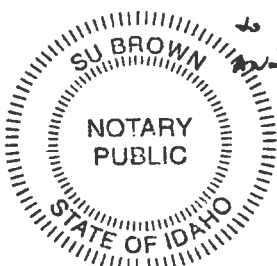
*Sue Ann Jaskey*  
Sue Ann Jaskey

AKA Sue A. Pistorius

Notary

*State of Idaho  
County of Nez Perce*

*On this 28th day of November, in the year 2001, before me  
Su Brown, a notary public, personally appeared Sue Jaskey, personally known  
to me to be the person whose name is subscribed to the within instrument,  
and acknowledged to me that she executed the same.*



*Su Brown*

*My Commission expires 11-1-04*

(Optional)  
Recorded ☐  
Microfilmed ☐  
Indexed ☐

Platted ☐  
Deed Card ☐  
Compared ☐

Key Punched ☐  
Master File ☐  
Abstracted ☐

To Treasurer ☐  
☐

(DO NOT WRITE ABOVE THIS LINE)

**SPECIAL WARRANTY DEED**

DENNIS L. BRASWELL and TRUDY BRASWELL, Husband and Wife,  
of the County of Butte,  
hereby CONVEYS, GRANTS and WARRANTS TO

GRANTOR(S)  
State of Idaho

JAMES J. JASKEY and SUE A. JASKEY, Husband and Wife,  
of the County of Butte,  
for the sum of TEN AND NO/100-----  
AND OTHER GOOD AND VALUABLE CONSIDERATIONS,

GRANTEE(S)  
State of Idaho

-----Dollars (\$10.00-----)

the following described tract(s) of land in

Butte

County, State of Idaho:

TOWNSHIP 3 NORTH, RANGE 27, EAST BOISE MERIDIAN:

SECTION 18: The South Half of the Southwest Quarter (S $\frac{1}{2}$ SW $\frac{1}{4}$ ), excepting therefrom the established road right-of-way, and the following described property: Beginning at the South Quarter corner of Section 18; thence S. 89°47' W., 1119.0 feet; thence N. 51°34'12" E., 857.0 feet; thence N. 89°47' E., 303.8 feet; thence N. 51°34'12" E., 180.76 feet; thence S. 0°12' E., 641.95 feet to the point of beginning, consisting of 9.7 acres.

TOGETHER With all appurtenances and hereditaments thereunto appurtenant.

(SUBJECT TO any and all liens, encumbrances and other defects in title existing prior to the date of a certain Real Estate Purchase and Sale Agreement between Grantors and Grantees herein, dated August 31<sup>st</sup>, 1976. This Deed is given and delivered to Idaho First National Bank, Mackay, Idaho, as Escrow Holder, for the purpose of removing said Agreement as a cloud on the title of the Grantees herein, in the event Grantors herein forfeit their rights under said Agreement.)

No. 19466  
FILED

APR 16 1987

A.M. 2:55 P.M.  
BUTTE COUNTY RECORDER  
*Deanne L. Lutz*

Location of above described property

WITNESS the hand of said Grantors this

House No.

Street

31<sup>st</sup>

day of August, A.D. 1976.

Dennis L. Braswell

Trudy Braswell

State of Idaho

County of Butte

On the 31<sup>st</sup> day of August, A.D. 1976

personally appeared before me

DENNIS L. BRASWELL and TRUDY BRASWELL,

the signers of the within instrument, who duly acknowledged to me that they executed the same.

*William C. Carlson*

Notary Public

Arco, Idaho

My Comm. Expires

Life

MAIL DEED TO

Sue A. Jaskey

1815 N. 9th #1

Coeur d'Alene, ID 83814

MAIL TAX NOTICE TO

Sue A. Jaskey

1815 N. 9th #1

Coeur d'Alene, ID 83814

